

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application : KEVIN TAIT  
 Application No. :  
 Filed : Herewith  
 Confirmation No. :  
 For : STOOL MARKER  
 Examiner :  
 Attorney's Docket : SW-045AX

TC Art Unit:

\*\*\*\*\*  
 I hereby certify that this correspondence is being deposited with the  
 United States Postal Service as first class mail in an envelope  
 addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA  
 22313-1450 on \_\_\_\_\_.

By: \_\_\_\_\_

Charles L. Gagnebin III  
 Registration No. 25,467  
 Attorney for Applicant

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INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

It is desired to cite for the record in this application the  
 enclosed references listed on the attached copy of PTO Form #1449. The  
 paragraph(s) marked below are applicable to this Information Disclosure  
 Statement.

- [X] (1) Pursuant to 37 C.F.R. § 1.97(b)(1) and (2), the attached  
 Information Disclosure Statement is being filed within three  
 months of the filing date of the above identified national  
 application or within three months of the date of entry of the  
 national stage as set forth in 37 C.F.R. § 1.491 of the above  
 identified application. Accordingly, applicant(s) believes that  
 no fee or statement under 37 C.F.R. § 1.97(e) is required.

- [ ] (2) Pursuant to 37 C.F.R. § 1.97(b)(3), applicant(s) believes the attached Information Disclosure Statement is being filed before the mailing date of a first Office action on the merits. Accordingly, applicant(s) believes that no fee or statement under 37 C.F.R. § 1.97(e) is required.
- [ ] (3) Pursuant to 37 C.F.R. § 1.97(b)(4), applicant(s) believes the attached Information Disclosure Statement is being filed before the mailing date of a first Office action after the filing of a request for continued examination under § 1.114. Accordingly, applicant(s) believes that no fee or statement under 37 C.F.R. § 1.97(e) is required..
- [ ] (4) Pursuant to 37 C.F.R. § 1.97(c), the attached Information Disclosure Statement is being filed before the mailing date of a final action or a notice of allowance and is accompanied by:
- [ ] a statement under 37 CFR § 1.97(e); or
- [ ] the fee set forth in § 1.17(p).

PETITION UNDER 37 CFR § 1.97(d)

- [ ] (5) Pursuant to 37 CFR § 1.97(d), applicant(s) hereby petitions the Commissioner to consider the attached Information Disclosure Statement which is being filed on or before payment of the issue fee. This petition is accompanied by a statement under 37 C.F.R. § 1.97(e) and the petition fee set forth in 37 C.F.R. § 1.17(p).

STATEMENT UNDER 37 C.F.R. § 1.97(e) (1)

- [ ] (6) The undersigned hereby states that each item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

STATEMENT UNDER 37 C.F.R. § 1.97(e) (2)

- [ ] (7) The undersigned hereby states that no item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, no item of

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Filed: Herewith

TC Art Unit:

Confirmation No.:

information contained in the attached Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Where the status of the application has changed, unknown to the applicant, such that the boxes checked are no longer applicable, the Commissioner is authorized to accept this submission with any additional fees required by that change charged to Deposit Account No. 23-0804.

The filing of this Information Disclosure Statement is not a representation by the undersigned as to personal knowledge of the contents of every word or phrase of the material enclosed or that reliance on other suitably trained professionals has not been made.

If a search report of a searching agency is enclosed identifying the nature of the relevance of each document, such a designation is deemed to satisfy 37 C.F.R. § 1.98(a)(3) even if in a foreign language because the codes are the same in all languages. However, applicant(s) does not necessarily adopt the position reflected by that report.

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Confirmation No.:

These references were cited in parent application No. 09/800,076 filed March 5, 2001.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 23-0804. Triplicate copies of this letter are enclosed.

Respectfully submitted,

KEVIN TAIT

By: 

Charles L. Gagnebin III

Registration No. 25,467

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CLG/mc/300747-1  
Enclosure

<b>U.S. DEPARTMENT OF COMMERCE</b> <b>PATENT AND TRADEMARK OFFICE</b>  <b>INFORMATION DISCLOSURE CITATION</b> <i>(Use several sheets if necessary)</i>				ATTY. DOCKET NO.  SW-045AX		APPLICATION NO.	
				APPLICANT: Kevin Tait			
				FILING DATE Herewith		TC ART UNIT	
<b>U.S. PATENT DOCUMENTS</b>							
EXAMINER INITIAL		DOCUMENT NUMBER	PUBLICATION/ ISSUE DATE	NAME	CLASS	SUBCLASS	FILING DATE
		US 3,935,099	01/1976	Weaver et al.	210	43	
		US 4,120,946	10/1978	Queuille et al.	424	9.4	
		US 4,692,325	09/1987	Kritzler et al.	424	9.4	
		US 5,460,798	10/24/1995	Barnett	424	9.4	
		US 5,466,440	11/1995	Ruddy et al.	424	9.711	
		US 5,518,711	05/21/1996	Tonariya et al.	424	9.411	
		US 6,001,334	12/1999	Hirai	4234	9.411	
<b>FOREIGN PATENT DOCUMENTS</b>							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES      NO
		08217697 A (Abstract)	08/27/1996	Japan			X
		WO 97/30736	08/28/1997	PCT			X
		EP 0 620 012 A1	10/19/1994	EPO			X
		EP 0 609 587 A2	08/10/1994	EPO			X
<b>OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)</b>							
		Fenlon, Helen M., et al., "Virtual colonoscopy: State-of-the-art alternative to total colon evaluation," <u>Diagnostic Imaging</u> , November 1998, pp. 118-123 and 193.					
		Hara, A.K., et al., "Detection of Colorectal Polyps by Computed Tomographic Colography: Feasibility of a Novel Technique," <u>Gastroenterology</u> , Saunders, Philadelphia, PA US, Vol. 110, No. 1, January 1996, pp.284-290.					
		Johnson, C. Daniel, M.D., "CT colonography: Spiraling into the future," <u>Applied Radiology</u> , September 1999, pp. 16-20.					
<b>EXAMINER</b>				<b>DATE CONSIDERED</b>			
<b>*EXAMINER:</b> Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

CLG/mc/300748-1

**\* REFERENCES CAN BE FOUND IN PARENT APPLICATION, SERIAL NO. 09/800,076 filed March 5, 2001**